

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF DELAWARE**

	X	
	:	
In re:	:	Chapter 11
	:	
QUORUM HEALTH CORPORATION, <i>et al.</i> ,	:	Case No. 20-10766 (BLS)
	:	
Debtor.	:	
	:	
	:	
	:	
DANIEL H. GOLDEN, AS LITIGATION	:	
TRUSTEE OF THE QHC LITIGATION TRUST,	:	Adversary Proceeding
AND WILMINGTON SAVINGS FUND	:	
SOCIETY, FSB, SOLELY IN ITS CAPACITY AS	:	Case No. 21-51190 (BLS)
INDENTURE TRUSTEE,	:	
	:	
Plaintiffs,	:	
	:	
v.	:	Re: Adv. Docket Nos. 1, 47 & 48
	:	
COMMUNITY HEALTH SYSTEMS, INC.;	:	
CHS/COMMUNITY HEALTH SYSTEMS, INC.;	:	
REVENUE CYCLE SERVICE CENTER, LLC;	:	
CHSPSC, LLC; PROFESSIONAL ACCOUNT	:	
SERVICES, INC.; PHYSICIAN PRACTICE	:	
SUPPORT, LLC; ELIGIBILITY SCREENING	:	
SERVICES, LLC; W. LARRY CASH; RACHEL	:	
SEIFERT; ADAM FEINSTEIN; AND CREDIT	:	
SUISSE SECURITIES (USA) LLC,	:	
	:	
Defendants.	:	
	X	

**DECLARATION OF EDWARD MOSS IN SUPPORT OF CREDIT SUISSE
SECURITIES (USA) LLC'S MOTION TO DISMISS THE COMPLAINT**

I, EDWARD MOSS, declare under penalty of perjury pursuant to 28 U.S.C. § 1746 as follows:

1. I am an attorney admitted *pro hac vice* to practice before this Court and am a member of the firm Cahill Gordon & Reindel LLP, attorneys for Credit Suisse Securities (USA) LLC (“Credit Suisse” or “Defendant”). I submit this declaration to place before the Court certain documents and information referenced in the Memorandum of Law in Support of Defendant’s Motion to Dismiss.

2. Annexed hereto as Exhibit A is a true and correct copy of the Complaint in *R2 Investments v. Quorum Health Corp. et al* (No. 2017-578), filed in the Circuit Court for Williamson County, Tennessee and dated October 25, 2017, which was filed publicly in the Circuit Court of Williamson County, Tennessee.

3. Annexed hereto as Exhibit B is a true and correct copy of the Consolidated Statement of Financial Condition as of the Year Ended December 31, 2019 and Report of Independent Registered Public Accounting Firm for Credit Suisse and its Subsidiaries, dated February 26, 2020 and filed with the United States Securities and Exchange Commission (“SEC”) on February 28, 2020, which was obtained from the SEC’s EDGAR service, available at <https://www.sec.gov/Archives/edgar/data/0000318336/000031833620000004/0000318336-20-000004-index.html>.

4. Annexed hereto as Exhibit C is a true and correct copy of the Indenture between Quorum Health Corporation and Regions Bank, dated April 22, 2016 and filed with the SEC on April 22, 2016, which was obtained from the SEC’s EDGAR service, available at

<https://www.sec.gov/Archives/edgar/data/0001650445/000119312516552165/0001193125-16-552165-index.html> (Exhibit 4.1).

5. Annexed hereto as Exhibit D is a true and correct copy of the Registration Rights Agreement between Quorum Health Corporation and Credit Suisse, dated April 22, 2016 and filed with the SEC on April 22, 2016, which was obtained from the SEC's EDGAR service, available at

<https://www.sec.gov/Archives/edgar/data/0001650445/000119312516552165/0001193125-16-552165-index.html> (Exhibit 4.2).

6. Annexed hereto as Exhibit E is a true and correct copy of Quorum Health Corporation's Press Release, dated April 8, 2016 and filed with the SEC on April 8, 2016, which was obtained from the SEC's EDGAR service, available at

<https://www.sec.gov/Archives/edgar/data/0001650445/000119312516535588/0001193125-16-535588-index.html> (Exhibit 99.1).

7. Annexed hereto as Exhibit F is a true and correct copy of the Credit Agreement Among Quorum Health Corporation and Credit Suisse AG, dated April 29, 2016 and filed with the SEC on May 2, 2016, which was obtained from the SEC's EDGAR service, available at <https://www.sec.gov/Archives/edgar/data/0001650445/000119312516572674/0001193125-16-572674-index.html> (Exhibit 10.1).

8. Annexed hereto as Exhibit G is a true and correct copy of Defendant Neptune Communications, LLC and Neptune Global Systems, LLC (U.S.)'s Motion to Dismiss the Complaint in Intervention, 2006 WL 2376763 (W.D. Wash. July 3, 2006), dated July 3, 2006, which was obtained from Westlaw.

I declare under penalty of perjury that the foregoing is true and correct.

Executed this 14th day of January 2022 in New York, N.Y.

By: /s/ Edward Moss
Edward Moss